

Panaji, 17th July, 1986 (Ashada 26, 1908)

SERIES I No. 16

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

1/1/84-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of Home Affairs Notification No. F.1/29/68-GP dated 29-6-1968 and in supersession of the existing recruitment rules for the posts, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules relating to recruitment to the General Central Service, Group 'A', Gazetted posts in the Goa College of Art, Panaji under the Government of Goa, Daman and Diu, namely: —

1. Short title, application and commencement. —

(1) These rules may be called the Government of Goa, Daman and Diu, Goa College of Art, General Central Service, Group 'A' Gazetted posts Recruitment Rules, 1986.

(2) *Application:* These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

2. Number, classification and scales of pay. — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in column 2 of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications. — The method of recruitment to the said

posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the said Schedule.

4. *Disqualification.* — No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.* — Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, and in consultation with the Union Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.* — Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in that regard.

7. These rules are issued with the approval of the Union Public Service Commission granted under their letter No. F.3/29(3)/84-RR dated 13-5-86.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

N. P. Gannekar, Under Secretary (Personnel).

Panaji, 23rd June, 1986.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether benefit of added years of service admissible under rule 30 of the C.C.S. (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age and Educational Qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation if any	Method of recruitment, whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Principal	1 (1986)	General Central Service Group 'A' Gazetted	Rs. 1500-60-1800-100-2000-125/2-2500.	Selection	Not exceeding 50 years. (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Government.	No	<p>Essential:</p> <p>i) Degree or equivalent Diploma in Fine Arts from a recognised University/Institution.</p> <p>ii) 10 years' professional experience in Fine Art/Applied Art of which at least 5 years' should be teaching experience.</p> <p>Note 1: Qualifications are relaxable at the discretion of the U.P. S.C. in case of candidates otherwise well qualified.</p> <p>Note 2: The qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to Scheduled Castes and Scheduled Tribes if, at any stage of selection, the U.P. S.C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p> <p>Desirable:</p> <p>i) Original Design Work in Fine Arts/Commercial Art Subject (Documentary evidence to be produced).</p> <p>ii) Administrative experience in a teaching institution.</p>	N. A.	Two years	By direct recruitment failing which by transfer on deputation.	<p>Transfer on Deputation:</p> <p>Officers under the Central/State Governments/Union Territories/Universities/Colleges:</p> <p>a) i) holding analogous posts on a regular basis or</p> <p>ii) with 5 years' regular service in the pay scale of Rs. 1100-1600 or equivalent; and</p> <p>(b) possessing educational qualifications and experience prescribed for direct recruits mentioned under Col. 7.</p> <p>(Period of deputation including period of deputation in another ex-cadre post held immediately preceding this appointment in the same organisation/department shall ordinarily not exceed 3 years).</p>	<p>D. P. C. for confirmation.</p> <p>i) Chief Secretary — Chairman.</p> <p>ii) Administrative Secretary — Member.</p> <p>Note: The Proceedings of the D.P.C. relating to confirmation shall be sent to the Commission for approval. If, however, these are not approved by the Commission a fresh meeting of the D. P. C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.</p>	Consultation with the U. P. S.C. is necessary while making direct recruitment and selecting an officer for appointment on transfer on deputation.

18	Lecturer (1986) Subject to variation dependent on workload.	General Central Service Group 'A' Gazetted	Rs. 700-40-1100-50-1600.	Selection	Not exceeding 35 years. (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Government. <i>Note:</i> The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep).	No	<i>Essential:</i> i) Second Class degree or equivalent diploma in Fine Art/Applied Art from a recognised University/Institution. ii) 5 years professional experience in Fine Arts/Applied Art (including at least 3 years teaching experience). <i>Note 1:</i> Qualifications are relaxable at the discretion of the U.P. S.C. in case of candidates otherwise well qualified. <i>Note 2:</i> The qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to Scheduled Castes and Scheduled Tribes if, at any stage of selection, the U.P. S.C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.	N. A.	Two years	By direct recruitment.	N. A.	Group 'A' D. P. C. for confirmation. i) Chief Secretary — Chairman. ii) Administrative Secretary — Member. iii) Principal, Goa College of Art — Member. <i>Note:</i> The Proceedings of the D.P.C. relating to confirmation shall be sent to the Commission for approval. If, however, these are not approved by the Commission a fresh meeting of the D. P. C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.	Consultation with the Union Public Service Commission is necessary while making direct appointment.
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Forest and Agriculture Department

ORDER

10/1/79-AGR Vol. VI

The following order issued by Government of India Ministry of Agriculture, (Deptt. of Agri. and Coopn), New Delhi which was published in the extraordinary Gazette of India, Part II, Section 3 Sub-section (i) is hereby republished in the Official Gazette for the General information of the Public.

i) Order No. 20-1/85-STU dated 1-1-1986.

A. P. Panvelkar, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 15th April, 1986.

No. 20-1/85-STU

GOVERNMENT OF INDIA

MINISTRY OF AGRICULTURE

(Department of Agriculture and Cooperation)

ORDER

New Delhi, dated 1st Jan., 1986

G.S.R. 2(E) In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Fertiliser (Movement Control) Order, 1973, namely:—

1. (1) This Order may be called Fertiliser (Movement Control) (Second Amendment) Order, 1985.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Fertiliser (Movement Control) Order, 1973 section 2 for item (b) the following item shall be substituted, namely:—

“(b) ‘Fertiliser’ shall have the same meaning as in item (h) of clause 2 of the Fertiliser (Control) Order, 1985 but shall not include ‘Bonameal Raw’, ‘Bonameal Steamed’, ‘Rockphosphate’ and ‘Zinc Sulphate’ appearing at 1(b) (4), 1(b) (5), 1(b) (6) and 1(f) (1) respectively of Schedule to that Order.”

Sd/-

(J. K. Arora)

Joint Secretary to the Govt. of India.

Note:— The Fertiliser (Movement Control) Order, 1973 was promulgated vide S. O. 249(E) dated 25th April, 1973. The clause 2 of the Fertiliser (Movement Control) Order, 1973 was amended vide

(i) S. O. 409(E) dated 26th July, 1973.

(ii) S. O. 392(E) dated 28th July, 1975.

Finance Department

Expenditure, Revenue and Control Branch

Notification

5/12/84-Fin(R&C)

In exercise of the powers conferred by sub-section (2) of section 10 of the Goa, Daman and Diu Sales Tax Act, 1964 (4 of 1964), the Government of Goa, Daman and Diu hereby amends the Second Schedule to the said Act, as follows, namely:

In the Second Schedule appended to the Goa, Daman and Diu Sales Tax Act, 1964, —

(i) For the existing entry 71, the following entry shall be substituted, namely:—

“71 Gobar gas plants and its components, namely (i) Biogas engines; (ii) biogas plants and (iii) biogas holders and chulhas (burner); (iv) agricultural and municipal waste conversion devices producing energy.

(ii) After entry 71, the following entries shall be inserted, namely:—

“71 A Solar energy equipments, namely (i) Solar water heaters and systems; (ii) Solar crop driers and systems; (iii) Solar refrigerations, cold storage and air conditioning systems; (iv) Solar stills and desalination systems; (v) Solar pumps based on solar thermal and solar photovoltaic conversion; (vi) Solar power generating system; (vii) Solar cookers; (viii) Concentrating and pipe type solar collectors; (ix) flat plate solar collectors; and (x) Solar photovoltaic modules and panels for water pumping and other applications;

71 B Windmills and any specially designed devices which are powered by wind energy including electric generators, pumps powered by wind energy;

71 C Electrically operated vehicles including battery powered or fuel-cell powered vehicles;

71 D Equipments for utilising ocean waves and thermal energy in the oceans;

By order and in the name of the Administrator of Goa, Daman and Diu.

K. M. Nambiar, Under Secretary (Finance Exp.).

Panaji, 3rd July, 1986.

Law Department

Legal Affairs Branch

Notification

LD/1/9/85-(D) Part-File

The Aircraft (Amendment) Act, 1985 (No. 69 of 1985) and the University Grants Commission (Amendment) Act, 1985 (No. 70 of 1985) which were passed by Parliament and assented to by the

President of India on 20th December, 1985 and published in the Gazette of India, Extraordinary, Part II, Section 1 dated 23rd December, 1985 are hereby republished for the general information.

B. S. Subbanna, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 22nd April, 1986.

The Aircraft (Amendment) Act, 1985

AN

ACT

further to amend the Aircraft Act, 1934.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Aircraft (Amendment) Act, 1985.

(2) It shall be deemed to have come into force on the 16th day of October, 1985.

2. *Amendment of Act 22 of 1934.*—In the Aircraft Act, 1934, for section 14, the following section shall be substituted, namely:—

“14. *Rules to be made after publication.*—Any power to make rules conferred by this Act is subject to the condition of the rules being made after previous publication:

Provided that the Central Government may, in the public interest, by order in writing, dispense with the condition of previous publication in any case.”.

3. *Repeal and saving.*—(1) The Aircraft (Amendment) Ordinance, 1985, is 7 of 1985, hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

The University Grants Commission (Amendment) Act, 1985

AN

ACT

further to amend the University Grants Commission Act, 1956.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the University Grants Commission (Amendment) Act, 1985.

2. *Amendment of section 6.*—In the University Grants Commission Act, 1956, 30/1956, in section 6, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) A person appointed as Chairman, Vice-Chairman or other member after the commence-

ment of the University Grants Commission (Amendment) Act, 1985 shall, unless he sooner becomes disqualified for continuing as such under the rules that may be made under this Act,—

(a) in the case of Chairman, hold office for a term of five years or until he attains the age of sixty-five years, whichever is earlier;

(b) in the case of Vice-Chairman, hold office for a term of three years or until he attains the age of sixty-five years, whichever is earlier;

(c) in the case of any other member, hold office for a term of three years:

Provided that—

(i) a person who has held office as Chairman or Vice-Chairman shall be eligible for further appointment as Chairman, Vice-Chairman or other member, and

(ii) a person who has held office as any other member shall be eligible for further appointment as Chairman, Vice-Chairman or other member:

Provided further that a person who has held office for two terms, in any capacity, whether as Chairman, Vice-Chairman or other member [excluding a member referred to in clause (a) of sub-section (3) of section 5], shall not be eligible for any further appointment as Chairman, Vice-Chairman or other member.”.

Notification

LD/8/3/85-L.A.B.

The Railway Protection Force (Amendment) Act, 1985 (No. 60 of 1985) which was passed by Parliament and assented to by the President of India on the 6th September, 1985, and published in the Gazette of India, Extraordinary, Part II, Section I dated 9-9-1985 is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 8th January, 1986.

The Railway Protection Force (Amendment) Act, 1985

AN

ACT

to amend the Railway Protection Force Act, 1957.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Railway Protection Force (Amendment) Act, 1985.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of long title.*—In the Railway Protection Force Act, 1957 (hereinafter referred to as the principal Act), for long title, the following long title shall be substituted, namely:—

“An Act to provide for the constitution and regulation of an armed force of the Union for the better protection and security of railway property and for matters connected therewith.”

3. *Amendment of section 2.*—Section 2 of the principal Act shall be renumbered as sub-section (1) thereof, and—

(a) in sub-section (1) as so renumbered,—

(i) for clause (b), the following clauses shall be substituted, namely:—

“(b) “Director-General” means the Director-General of the force appointed under sub-section (1) of section 4;

(ba) “enrolled member of the Force” means any subordinate officer, under officer or any other member of the Force of a rank lower than that of under officer;

(bb) “Force custody” means the arrest or confinement of a member of the Force in accordance with rules made under this Act;”

(ii) in clause (c), the words “other than the superior officer” shall be omitted;

(ii) after clause (e), the following clause shall be inserted, namely:—

“(ea) “subordinate officer” means a person appointed to the Force as an Inspector, a Sub-Inspector or an Assistant Sub-Inspector;”

(iv) after clause (f), the following clause shall be inserted, namely:—

“(fa) “under officer” means a person appointed to the Force as a Head Constable or Naik;”

(v) after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

“(2) Any reference in this Act to a law which is not in force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force in that area.”

4. *Amendment of section 3.*—In section 3 of the principal Act,—

(a) in sub-section (1), for the words “a Force”, the words “an armed force of the Union” shall be substituted;

(b) in sub-section (2), for the words “superior officers and members”, the words “superior officers, subordinate officers, under officers and other enrolled members” shall be substituted.

5. *Amendment of section 4.*—In section 4 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Central Government may appoint a person to be the Director-General of the Force

and may appoint other persons to be Inspectors-General, Additional Inspectors-General, Deputy Inspectors-General, Assistant Inspectors-General, Senior Commandants, Commandants or Assistant Commandants of the Force.”;

(b) in sub-section (2), for the expression “Inspector-General”, the expression “Director-General” shall be substituted.

6. *Omission of section 5.*—Section 5 of the principal Act shall be omitted.

7. *Substitution of new section for section 6.*—For section 6 of the principal Act, the following section shall be substituted, namely:—

“6. *Appointment of members of the Force.*—The appointment of enrolled members of the Force shall rest with the Inspector-General, Additional Inspector-General or Deputy Inspector-General who shall exercise that power in accordance with rules made under this Act:

Provided that the power of appointment under this section may also be exercised by other superior officer as the Inspector-General, Additional Inspector-General or Deputy Inspector-General concerned may, by order, specify in this behalf.”

8. *Amendment of section 7.*—In section 7 of the principal Act,—

(a) in sub-section (1), for the words “Chief Security Officer”, at both the places where they occur, the words “Inspector-General, Additional Inspector-General or Deputy Inspector-General” shall be substituted;

(b) in sub-section (2), the words “and on his ceasing to be a member of the Force shall be forthwith surrendered by him to any superior officer empowered to receive the same” shall be omitted.

9. *Substitution of new section for section 8.*—For section 8 of the principal Act, the following section shall be substituted, namely:—

“8. *Superintendence and administration of the Force.*—(1) The superintendence of the Force shall vest in the Central Government, and subject thereto and to the provisions of this Act and of any rules made thereunder, the command, supervision and administration of the Force shall vest in the Director-General.

(2) Subject to the provisions of sub-section (1), the administration of the Force, within such local limits in relation to a railway as may be prescribed shall be carried on by an Inspector-General, and Additional Inspector-General or a Deputy Inspector-General in accordance with the provisions of this Act and of any rules made thereunder and they shall, subject to any direction that may be given by the Central Government or the Director-General in this behalf discharge his functions under the general supervision of the General Manager of the Railway.”

10. *Amendment of section 9.*—In section 9 of the principal Act,—

(a) in sub-section (1), for the word “member”, at both the places where it occurs, the words “enrolled member” shall be substituted;

(b) for sub-section (2), the following sub-sections shall be substituted, namely:—

“(2) Any enrolled member of the Force aggrieved by an order made under sub-section (1) may, within thirty days from the date on which the order is communicated to him, prefer an appeal against the order to such authority as may be prescribed:

Provided that the prescribed authority may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(3) In disposing of the appeal, the prescribed authority shall follow such procedure as may be prescribed:

Provided that no order imposing an enhanced penalty under sub-section (2) shall be made unless a reasonable opportunity of being heard has been given to the person affected by such order.”

11. *Substitution of new section for section 12.*— For section 12 of the principal Act, the following section shall be substituted, namely:—

“12. *Power to arrest without warrant.*— Any member of the Force may, without an order from a Magistrate and without a warrant, arrest—

(i) any person who voluntarily causes hurt to, or attempts voluntarily to cause hurt to, or wrongfully restrains or attempts wrongfully to restrain, or assaults, threatens to assault, or uses, or threatens or attempts to use, criminal force to him or any other member of the Force in the execution of his duty as such member, or with intent to prevent or to deter him from discharging his duty as such member, or in consequence of anything done or attempted to be done by him in the lawful discharge of his duty as such member; or

(ii) any person who has been concerned in, or against whom a reasonable suspicion exists of his having been concerned in, or who is found taking precautions to conceal his presence under circumstances which afford reason to believe that he is taking such precautions with a view to committing a cognizable offence which relates to railway property; or

(iii) any person found taking precautions to conceal his presence within the railway limits under circumstances which afford reason to believe that he is taking such precautions with a view to committing theft of, or damage to, railway property; or

(iv) any person who commits or attempts to commit a cognizable offence which involves or which is likely to involve imminent danger to the life of any person engaged in carrying on any work relating to railway property.”

12. *Amendment of section 15.*— In section 15 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Every member of the Force shall, for the purposes of this Act, be considered to be

always on duty, and shall, at any time, be liable to be employed at any place within India.”;

(b) in sub-section (2), the words “superior officer or” shall be omitted.

13. *Insertion of new section 15A.*— After section 15 of the principal Act, the following section shall be inserted, namely:—

“15A. *Restrictions respecting right to form association, etc.*— (1) No member of the Force shall, without the previous sanction in writing of the Central Government or of the prescribed authority,—

(a) be a member of, or be associated in any way with, any trade union, labour union, political association or with any class of trade unions, labour unions or political associations; or

(b) be a member of, or be associated in any way with, any other society, institution, association or organisation that is not recognised as part of the Force or is not of a purely social, recreational or religious nature; or

(c) communicate with the press or publish or cause to be published any book, letter or other document except where such communication or publication is in the *bona fide* discharge of his duties or is of a purely literary, artistic or scientific character or is of a prescribed nature.

Explanation.— If any question arises as to whether any society, institution, association or organisation is of a purely social, recreational or religious nature under clause (b) of this sub-section, the decision of the Central Government thereon shall be final.

(2) No member of the Force shall participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be prescribed.”

14. *Insertion of new section 16A.*— After section 16 of the principal Act, the following section shall be inserted, namely:—

“16A. *Surrender of certificate, arms, etc., by persons ceasing to be members of the Force.*—

(1) Every person who for any reason ceases to be a member of the Force, shall forthwith surrender to any superior officer empowered to receive the same, his certificate of appointment, the arms, accoutrements, clothing and other articles which have been furnished to him for the performance of his duties as a member of the Force.

(2) Any person who wilfully neglects or refuses to surrender his certificate of appointment, the arms, accoutrements, clothing and other articles furnished to him, as required by sub-section (1), shall, on conviction, be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

(3) Nothing in this section shall be deemed to apply to any article which, under the orders of

the Director-General, has become the property of the person to whom the same was furnished.”.

15. *Substitution of new section for section 17.*— For section 17 of the Principal Act, the following section shall be substituted, namely:—

“17. *Penalties for neglect of duty, etc.*— (1) Without prejudice to the provisions contained in section 9, every enrolled member of the Force who shall be guilty of any violation of duty or wilful breach or neglect of any rule or lawful order made by a superior officer, or who shall withdraw from duties of his office without permission, or who, being absent on leave, fails, without reasonable cause, to report himself for duty on the expiration of the leave, or who engages himself without authority for any employment other than his duty as an enrolled member of the Force, or who shall be guilty of cowardice may be taken into Force custody and shall, on conviction, be punished with imprisonment which may extend to one year.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under this section shall be cognizable and non-bailable. 2 of 1974.

(3) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the Central Government may invest Assistant Inspector-General, Senior Commandant or Commandant with the powers of a Magistrate of any class for the purpose of inquiring into or trying any offence committed by an enrolled member of the Force and punishable under this Act, or any offence committed by an enrolled member of the Force against the person or property of another member of the Force. 2 of 1974.

Provided that—

(i) when the offender is on leave or absent from duty; or

(ii) when the offence is not connected with the offender's duties as an enrolled member of the Force; or

(iii) when it is a petty offence even if connected with the offender's duties as an enrolled member of the Force; or

(iv) when, for reasons to be recorded in writing, it is not practicable for the Commandant invested with the powers of a Magistrate to inquire into or to try the offence,

the offence may, if the prescribed authority within the limits of whose jurisdiction the offence has been committed so requires, be inquired into or tried by an ordinary criminal court having jurisdiction in the matter.

(4) Nothing contained in this section shall be construed to prevent any enrolled member of the Force from being prosecuted under any other law for any offence made punishable by that law, or for being liable under any such law to any other

or higher penalty or punishment than is provided for such offence by this section:

Provided that no person shall be punished twice for the same offence.”.

16. *Substitution of new section for section 19.*— For section 19 of the principal Act, the following section shall be substituted, namely:—

“19. *Certain Acts not to apply to members of the Force.*— Nothing contained in the Payment of Wages Act, 1936, or the Industrial Disputes Act, 1947, or the Factories Act, 1948, or any corresponding law relating to investigation and settlement of industrial dispute in force in a State shall apply to members of the Force.” 4 of 1936.
14 of 1947.
63 of 1948.

17. *Amendment of section 21.*— In section 21 of the principal Act,—

(a) in sub-section (2),—

(i) in clauses (a), (b) and (c), the words “superior officers and” shall be omitted;

(ii) for clauses (d) and (e), the following clauses shall be substituted, namely:—

“(d) prescribing the description and quantity of arms, accoutrements, clothing and other necessary articles to be furnished to the members of the Force;

(e) prescribing the places of residence of the member of the Force;

(f) institution, management and regulation of any fund for any purpose connected with the administration of the Force;

(g) regulating the punishments and prescribing authorities to whom appeal shall be preferred from orders of punishment, or remission of fines, or other punishments and the procedure to be followed for the disposal of such appeals;

(h) regulating matters with respect to Force custody under this Act, including the procedure to be followed for taking persons into such custody;

(i) regulating matters with respect to disposal of cases relating to offences under this Act and specifying the places in which persons convicted under this Act may be confined;

(j) any other matter which has to be, or may be, imposed, or in respect of which rules are required to be made under this Act;”;

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both

Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

18. *Consequential amendments.*—The amendments directed in the Schedule (being amendments of a consequential nature) shall be made in the principal Act.

19. *Provisions as to existing Force.*—(1) The Force constituted under the principal Act as functioning immediately before the commencement of this Act (hereafter in this section referred to as the existing Force) shall, on such commencement, be deemed to be the Force constituted under the principal Act as amended by this Act, and every member of the existing Force holding immediately before such commencement an office mentioned in column (1) of the Table below shall, on such commencement, be deemed to have been appointed to the office mentioned in the corresponding entry in column (2) of the said Table.

TABLE

1	2
1. Director-General	Director-General
2. Inspector - General - cum-Chief Security Officer.	Inspector-General.
3. Additional Inspector-General-cum-Chief Security Officer.	Additional Inspector-General.
4. Additional Inspector-General	Additional Inspector General.
5. Deputy Inspector - General-cum-Chief Security Officer	Deputy Inspector-General.
6. Deputy Inspector-General	Deputy Inspector-General.
7. Principal, Training College	Principal, Training College.
8. Assistant Inspector-General	Assistant Inspector-General.
9. Deputy Chief Security Officer	Senior Commandant Headquarters.
10. Senior Security Officer	Senior Commandant.
11. Security Officer	Commandant.
12. Staff Officer to Chief Security Officer	Commandant - cum - Staff Officer to Chief Security Officer.
13. Security Officer (Small Arms)	Commandant (Small Arms).
14. Commandant	Commandant.
15. Assistant Security Officer	Assistant Commandant.
16. Personal Assistant to Chief Security Officer	Assistant Commandant - cum - Personal Assistant to Chief Security Officer.
17. Adjutant	Assistant Commandant Adjutant.

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18. Assistant Commandant	Assistant Commandant.
19. Principal, Training School	Assistant Commandant-cum-Principal, Training School.
20. Vice-Principal, R. P. F. Training College	Assistant Commandant - cum - Vice-Principal, R. P. F. Training College.
21. Inspector	Inspector.
22. Sub-Inspector	Sub-Inspector.
23. Assistant Sub-Inspector	Assistant Sub-Inspector.
24. Head Rakshak	Head Constable.
25. Battalion Havildar Major	Head Constable.
26. Coy. Havildar Major	Head Constable.
27. Senior Rakshak	Naik.
28. Rakshak	Constable.

(2) Notwithstanding anything contained in sub-section (1), any member of the existing Force may, within thirty days from the commencement of this Act, exercise his option by notice in writing to the Director-General—

(a) if such member has been on deputation to the existing Force from any other service, to revert to such other service, and

(b) in any other case, to retire from service, and an option so exercised shall be final, and a member exercising such option shall be permitted, within thirty days from the date on which he exercises such option to revert to the service from which he had been on deputation or, as the case may be, to retire from service.

Explanation.—For the purposes of this section, the expression "member" includes an officer, and the expression "Director-General" shall have the same meaning as in the principal Act as amended by this Act.

THE SCHEDULE

(See section 18)

Consequential Amendments

1. Section 10—For "the Inspector-General and every other superior officer and every member of the Force", *substitute* "Director-General and every member of the Force".

2. Section 13—(a) in sub-section (1), omit "any superior officer or".

(b) in sub-section (2), for "Code of Criminal Procedure, 1898", *substitute* 50 of 1898. "Code of Criminal Procedure, 1973". 2 of 1974.

3. Section 14—Omit "superior officer or".

4. Section 20—Omit "superior officer or", wherever they occur.